

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

RED BARN MOTORS, INC,
DONALD B. RICHARDSON, AND
BARBARA A. RICHARDSON

CIVIL ACTION NO. 13-00778

VERSUS

JUDGE BRIAN A. JACKSON

NEXTGEAR CAPITAL, INC,
as successor-in-interest to DEALER
SERVICES CORPORATION, and
LOUISIANA'S FIRST CHOICE AUTO
AUCTION, L.L.C.

MAG. RICHARD L. BOURGEOIS, JR.

**LOUISIANA'S FIRST CHOICE AUTO AUCTION L.L.C, MOTION TO DISMISS FOR
FAILURE TO STATE A CLAIM UPON WHICH RELIEF MAY BE GRANTED, OR,
ALTERNATIVELY, MOTION TO DISMISS THE INDIVIDUAL PLAINTIFFS AND
MOTION FOR A MORE DEFINITE STATEMENT**

NOW INTO COURT, through undersigned counsel, comes Louisiana's First Choice Auto Auction, L.L.C., who, pursuant to the Federal Rules of Civil Procedure, Rules 12(b)(6) and 12(e), submits its Motion to Dismiss or, alternatively, Motion to Dismiss the individual plaintiffs and Motion for More Definite Statement.

The grounds for this motion are set forth more fully in the attached memorandum.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2014, a copy of the foregoing Motion to Dismiss for Failure to State Claim upon which Relief May be Granted or, Alternatively, and Motion to Dismiss Individual Plaintiffs and Motion for a More Definite Statement was filed electronically with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to the following:

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/s/ Lisa Brener
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